

REMARKS

Applicants respectfully request reconsideration of the present U.S. Patent application. Claims 1, 12, 16, and 22 have been amended. Claims 1-5 and 7-28 are pending.

Claim Rejections - 35 U.S.C. § 103

Claims 1-3, 12-13, 16-19 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,937,863 issued to Robert et al. in view of U.S. Patent No. 5,911,045 issued to Leyba et al.

Claim 1 recites the following:

an electronic asset lending library database containing a plurality of user accounts and at least one license for an electronic asset assigned by a user having one of the plurality of user accounts;

an account manager to maintain the user accounts;

an asset manager to maintain each license for an electronic asset assigned by a user having one of the plurality of user accounts, wherein each license includes one or more license restrictions set by the user that assigned the electronic asset; and

a loan manager to control the assignment of the license for the electronic asset to another user having another one of the plurality of user accounts according to the license restrictions set by the user that assigned the electronic asset.

Claims 12 and 16 similarly recite managing an electronic asset assigned by a user having one of a plurality of user accounts with license restrictions set by the user that assigned the electronic asset and controlling the assignment of the license of the electronic asset to another user having another one of the plurality of user accounts according to the license restrictions set by the user that assigned the electronic asset.

Whether taken individually or in combination, Roberts and Leyba do not disclose managing an electronic asset assigned by a user having one of a plurality of user accounts with license restrictions set by the user that assigned the electronic asset and controlling the

assignment of the license of the electronic asset to another user having another one of the plurality of user accounts according to the license restrictions set by the user that assigned the electronic asset. These limitations are recited in claims 1, 12, and 16. Therefore, the invention as claimed in claims 1, 12, and 16 is patentable over Roberts and Leyba.

Claims 2-5, 7-11, 13-15, and 17-21 are dependent claims and distinguish for at least the same reasons as their independent base claim in addition to adding further limitations of their own. Therefore, Applicants submit that claims 2-5, 7-11, 13-15, and 17-21 are patentable over Roberts and Leyba for at least the reasons set forth above.

Claims 22-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,745,879 issued to Wyman in view of U.S. Patent No. 5,911,045 issued to Leyba et al.

Claim 22 recites the following:

- managing a plurality of user accounts;
- generating a license and associated license restrictions for an electronic asset on a lending library server, wherein the electronic asset is assigned by a user having one of the plurality of user accounts and the license restrictions are set by the user that assigned the electronic asset;
- displaying to an assignee having another one of the plurality of user accounts the license and associated license restrictions on a lending library client;
- receiving an assignee's selection for the license and transferring the license to the assignee if eligible in accordance with the associated license restrictions; and
- transmitting to the assignee instructions for the installation of the electronic asset in compliance with the transferred license on the lending library client.

Whether taken individually or in combination, Wyman and Leyba do not disclose generating a license for an electronic asset assigned by a user having one of the plurality of user accounts with license restrictions set by the user that assigned the electronic asset and transferring the license to an assignee having another one of the plurality of user accounts according to the license restrictions set by the user that assigned the electronic asset. These

limitations are recited in claim 22. Therefore, Applicants submit that claim 22 is patentable over Wyman and Leyba.

Claims 23-28 are dependent claims and distinguish for at least the same reasons as their independent base claim in addition to adding further limitations of their own. Therefore, Applicants submit that claims 23-28 are patentable over Wyman and Leyba for at least the reasons set forth above.

Claims 4-5, 7-10, 11, 14-15, 20, 27, and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,937,863 issued to Robert et al. in view of U.S. Patent No. 5,892,900 issued to Ginter et al. in view of U.S. Patent No. 5,911,045 issued to Leyba et al and further in view of U.S. Patent No. 5,745,879 issued to Wyman.

As discussed above, Roberts and Wyman and Leyba do not disclose managing an electronic asset assigned by a user having one of a plurality of user accounts with license restrictions set by the user that assigned the electronic asset and controlling the assignment of the license of the electronic asset to another user having another one of the plurality of user accounts according to the license restrictions set by the user that assigned the electronic asset.

Ginter discloses a system for secure transaction management and electronic rights protection. Ginter does not disclose, teach, or suggest managing an electronic asset assigned by a user having one of a plurality of user accounts with license restrictions set by the user that assigned the electronic asset and controlling the assignment of the license of the electronic asset to another user having another one of the plurality of user accounts according to the license restrictions set by the user that assigned the electronic asset. Therefore, Ginter does not cure the deficiencies of Roberts, Wyman, and Leyba. Thus, claims 1, 12, 16, and 22 are patentable over Roberts, Wyman, Leyba, and Ginter.


Claims 2-5, 7-11, 13-15, 17-21, and 23-28 are dependent claims and distinguish for at least the same reasons as their independent base claim in addition to adding further limitations of their own. Therefore, Applicants submit that claims 2-5, 7-11, 13-15, 17-21, and 23-28 are patentable over Roberts, Wyman, Leyba, and Ginter for at least the reasons set forth above.

Conclusion

In view of the remarks set forth above, Applicants submit that claims 1-5 and 7-28 are in condition for allowance and such action is respectfully solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.


Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: 12/23/03 
Lisa Tom
Reg. No. 52,291

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, CA 90025-1026
(503) 684-6200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on:

12/23/03
Date of Deposit
Annie Pearson
Name of Person Mailing Correspondence
 12/23/03
Signature Date